



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

ELP
Docket No. 4796-99
19 June 2000

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, United States Code, Section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 14 June 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you enlisted in the Naval Reserve on 12 February 1987 for eight years at age 18. The record reflects that you were ordered to initial active duty for training on 8 June 1987. The record also reflects that on 23 July 1987 you were nominated for class "A" school as a top performer during recruit training, but declined to attend class "A" school at that time due to being a split option trainer. You were honorably released from active duty on 8 August 1987 and transferred to the Naval Reserve. You were advanced to AA (E-2) on 8 December 1987.

The record reflects that on 3 June 1988 you were ordered to further active duty for apprentice training. Your student performance record notes that on 7 June 1988 you were crying and wanted out of the Navy. It was noted that you were a reservist who was there for only four weeks. You stated that you were not cut out for military life and requested to see the chaplain. You would not say what was bothering you but alleged that you would

"do something crazy" if you could not get out. You reported thoughts of killing yourself. You were then referred for an emergency evaluation to determine your suicide risk. You reported that "suicide passed my mind today" and that you did not want to be there anymore. You described ambivalence toward training and duty. You said that you enlisted to please your parents, but felt you were too young to remain in the Navy. You were diagnosed with a life circumstance problem and a dependent type personality disorder. Administrative separation was recommended since your personality disorder rendered you incapable of adequately performing in a naval environment.

On 15 June 1988 you were notified that you were being considered for an entry level separation by reason of unsatisfactory performance and conduct as evidenced by an inability to function adequately. You were advised of your procedural rights and waived those rights. You did not object to the discharge. Thereafter, the discharge authority directed an uncharacterized entry level separation by reason of entry level performance and conduct. You were so discharged on 24 June 1988 and assigned an RE-4 reenlistment code.

Regulations authorize an uncharacterized entry level separation to individuals who are discharged within 180 days of beginning active duty. Such separations are not considered to be dishonorable. Regulations also require the assignment of an RE-4 reenlistment code to individuals who are discharged by reason of entry level performance and conduct. The Board noted your contention that you were told that you are ineligible for employment with a local police department because your discharge was not under honorable conditions and reenlistment code. The Board is aware that many police departments and other agencies often deny employment to an individual with RE-4 reenlistment codes. However, the employment policies of other agencies do not compel this Board to change a correctly assigned reenlistment code. The Board noted that you could have been separated for "personality disorder" which is considered a more stigmatizing reason for separation. An RE-4 reenlistment code could also have been assigned if you had been separated for this reason. You have provided no persuasive evidence as to why the reason for your discharge should be changed. Since you were treated no differently than others discharged under similar circumstances the Board could find no error or injustice in your assigned reenlistment code. The Board concluded that both the reason for discharge and reenlistment code were proper and no change is warranted. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director